

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0545-06
Bill No.: HS for HCS for HB 156 with SA 5
Subject: Abortion; Health Care; Health Care Professionals; Health Department
Type: Original
Date: May 1, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Missouri Department of Conservation**, the **Department of Economic Development**, the **Department of Insurance**, the **Missouri Consolidated Health Care Plan**, the **State Treasurer's Office** and the **Department of Social Services** assume the proposed legislation would not fiscally impact their agencies.

Officials from the **Department of Health and Senior Services (DOH)** assume that the DOH would develop model language for the form and disseminate to providers who would incorporate the language into their own forms. Under this assumption, the DOH could absorb any related costs.

Officials from the **Department of Highways and Transportation (DHT)** also responded on behalf of the **Missouri State Highway Patrol's Medical Plan**. The DHT officials stated this legislation pertains to requirements for physicians in the performance of an abortion and will have no impact to MHTC or the Highway & Patrol Medical Plan.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal revises the provision pertaining to informed consent for an abortion.

Except in the case of a medical emergency, the proposal prohibits a person from performing or inducing an abortion unless the treating physician has conferred with the patient and discussed the indicators and contra-indicators of the proposed abortion or drug or drugs, including but not limited to mifepristone, considering a woman's medical history and medical condition. The conference between the treating physician and the patient must occur at least 24 hours before performing or inducing an abortion.

For an abortion induced by drug or drugs, one conference between the treating physician and the patient must occur 24 hours prior to the writing or communication of the first prescription for a drug or drugs which are used to induce an abortion.

During the conference, the patient is required to be screened for risk factors, which include any physical, psychological, or situational factors which would predispose the patient to, or increase the risk of, experiencing one or more adverse physical, emotional, or other health reactions to an abortion or drug or drugs used.

The proposal requires that at the end of the conference, and if the woman chooses to proceed with the abortion, the treating physician and the patient are required to sign a written statement certifying that the screening and discussion have occurred and that the woman gave her informed consent freely and without coercion. All executed statements will be maintained in the patient's medical file which are subject to the confidentiality laws of Missouri.

Description (continued)

The Department of Health and Senior Services is required to develop a model form that will be used by treating physicians. In the absence of the model form, treating physicians are not exempt from the requirements of the proposal.

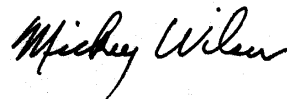
The proposal also requires person performing surgical or medical abortions to have proof of medical malpractice insurance of at least \$500,000. No abortion facility or hospital shall employ or engage the services of a person performing abortions if the person does not have proof of medical malpractice. A abortion facility or hospital may provide medical malpractice insurance for the services of persons employed or engaged by such facility or hospital.

The provisions dealing with proof of financial responsibility become effective January 1, 2004.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Missouri Department of Conservation
Department of Economic Development
Department of Insurance
Missouri Consolidated Health Care Plan
Department of Social Services
Department of Highway and Transportation
Missouri State Highway Patrol
State Treasurer's Office
Department of Health and Senior Services



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Director
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